



Attorney's Docket No.: 8867-8C

PATENT

DIVISIONAL APPLICATION TRANSMITTAL  
UNDER 37 C.F.R. § 1.60

HA

Prior Application

Examiner: S. Clardy  
Art Unit: 1209

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing a divisional application under 37 C.F.R. § 1.60, of pending prior application Serial No. 08/467,364, filed on June 6, 1995, entitled **HERBICIDAL COMPOSITIONS** by the following named inventors: John M. Fenderson, William B. O'Neal, Theo Quaghebeur, Karl-Christoph Schumm, Walter Van Looke.

Enclosed is a copy of the latest inventor signed prior application, including the Oath and Declaration as originally filed. I hereby verify that the attached papers are a true copy of the latest inventor signed prior application Serial No. 08/467,364 as originally filed on June 6, 1995, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The filing fee is calculated below:

(Col. 1)		(Col. 2)		Other Than	
No. Filed	No. Extra	Small Entity Rate	Fee	Small Entity Rate	Fee
BASIC FEE		\$ 385		\$ 770	
TOTAL CLAIMS:	10-20 = 0	x 11 = \$		x 22 = \$	
INDEP CLAIMS:	2-3 = 0	x 40 = \$		x 80 = \$	
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED		+130 = \$		+260 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2		TOTAL \$		TOTAL \$ 770	

- [X] The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 16-0605.
- [X] A check in the amount of \$770.00 to cover the filing fee is enclosed.
- [X] Cancel in this application original Claims 1-16 of the prior application before calculating the filing fee.

In re: Fenderson et al.  
Filed: Concurrently herewith  
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- [X] Amend the specification by inserting before the first line the sentence:  
-- This application is a division of application Serial No. 08/467,364, filed June 6, 1995, which is a continuation-in-part of application Serial No. 08/153,946, filed November 16, 1993 which is a continuation of application Serial No. 08/019,386, filed February 18, 1993; a continuation-in-part of application Serial No. 08/152,066, filed November 12, 1993 which is a continuation of application Serial No. 08/019,933, filed February 19, 1993; and a continuation of application Serial No. 08/236,732, filed May 2, 1994.--
- [ ] The prior application is assigned of record to \_\_\_\_\_.
- [X] A Preliminary Amendment is enclosed.
- [X] Also enclosed is an Information Disclosure Statement.

The Power of Attorney which appears in the original papers in the prior application is to:

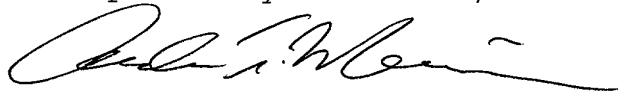
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Respectfully submitted,



Andrew T. Meunier  
Registration No. 40,726  
August 15, 1997

In re: Fenderson et al.  
Filed: Concurrently herewith  
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Date of Deposit: August 15, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Andrew T. Meunier  
201480

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Fenderson et al.  
Serial No.: Applied For  
Filed: Concurrently Herewith  
For: **HERICIDAL COMPOSITIONS**

August 15, 1997

Assistant Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

Dear Sirs:

Please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please amend the title to read --Synergistic Herbicidal Compositions of Dimethenamid--.

IN THE CLAIMS:

Please delete Claims 1-16 and add the following:

17. A method of controlling undesired plant growth in the presence of a crop comprising applying to the locus of said undesired plant growth a herbicidally effective aggregate amount of dimethenamid and a triketone or dione herbicide wherein the application rate of dimethenamid is from 0.1 to 3.0 kg/ha and the application rate of the triketone or dione is from 0.05 to 2.0 kg/ha.

18. A method according to claim 17 wherein the triketone or dione is selected from the group consisting of 2-(2-chloro-4-methanesulfonylbenzoyl)-1,3-cyclohexanedione; 2-(4-methylsulfonyloxy-2-nitrobenzoyl)-4,4,6,6-tetramethyl-1,3-cyclohexane; 3-(4-methylsulfonyloxy-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 3-(4-methylsulfonyl-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-

3,5(4H,6H)dione; 4-(4-methylthio-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)-dione; 3-(4-methylthio-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(2-nitro-4-trifluoromethoxybenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5-(4H,6H)-dione.

19. A method according to claim 17 wherein the triketone or dione is 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)dione.

20. A method according to claim 17 further comprising a triazine herbicide.

21. A method according to claim 17 wherein the crop is maize.

22. A method according to claim 17 wherein the crop is sugar cane.

23. A method according to claim 17 wherein the application rate of dimethenamid is from 0.25 to 1.5 kg/ha and the application rate of the triketone or dione herbicide is from 0.1 to 0.6 kg/ha.

24. A method according to claim 17 wherein the dimethenamid and the triketone or dione herbicide are applied postemergence.

25. A herbicidal composition comprising a herbicidally effective aggregate amount of a triketone or dione herbicide and dimethenamid in a weight ratio between 1:2 and 1:10.

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26. A composition according to claim 25 further comprising a triazine at a weight ratio of 3:1 to 1:3 relative to the dimethenamid content.

REMARKS

Applicants have cancelled Claims 1-16 and added new claims 17-26. The above claim amendments are made for clarification thus placing the claims in better form for examination on the merits.

Respectfully submitted,



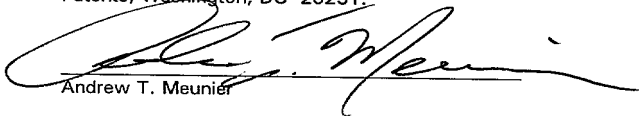
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Andrew T. Meunier

### HERBICIDAL COMPOSITIONS

This is a continuation-in-part of application Serial No. 08/153,946, filed November 16, 1993 which is a continuation of application Serial No. 08/019,386, filed February 18, 1993 and a continuation-in-part of application Serial No. 152,066, filed November 12, 1993 which is a continuation of application Serial No. 08/019,933, filed February 19, 1993 and a continuation-in-part of application Serial No. 08/236,732, filed May 2, 1994.

The present invention concerns a method of controlling undesired plant growth employing co-application of dimethenamid and at least one other herbicide, herbicidal compositions comprising dimethenamid and at least one other herbicide and the use of such compositions in controlling undesired plant growth.

Dimethenamid (FRONTIER®) whose chemical name is 2-chloro-N-(2,4-dimethyl-3-thienyl)-N-(2-methoxy-1-methylethyl)-acetamide, processes for its production, herbicidal compositions containing it and its use as a herbicide are described in US Patent 4,666,502 the contents of which are incorporated herein by reference. Dimethenamid consists of 4 stereoisomers due to two chiral elements and can thus also exist in the form of the individual isomers as diastereomeric mixtures (1S, aRS (known as S-dimethenamid) and 1R, aRS (known as R-dimethenamid)) and as a racemic mixture (1RS, aRS). References herein to dimethenamid refer to its various forms unless otherwise stated. Of the diastereomeric mixtures S-dimethenamid is preferred.

The term herbicides, as used herein, refers to compounds which combat or control undesired plant growth. This class of compounds may be divided into sub-classes according to the primary type or mode of action the herbicide has on the plant. For example according to G.F. Warren of Purdue University, Indiana, USA, herbicides can be classified as auxin transport inhibitors, growth regulator herbicides, photosynthesis inhibitors, pigment

inhibitors, growth inhibitors, amino acid synthesis inhibitors, lipid biosynthesis inhibitors, cell wall biosynthesis inhibitors, rapid cell membrane disruptors as well as "miscellaneous" herbicides which do not come under one of the preceding categories.

5           It has now surprisingly been found that co-application of dimethenamid and at least one other herbicide results in better and in some cases longer-lasting control of undesired plant growth. This synergistic effect exhibits itself in a high degree of control at co-application rates which are significantly lower than the rate of each individual compound required to obtain the same degree of control. Furthermore, at any given co-application  
10 rate the degree of control is higher than the additive effect obtained for the individual components at the same rate. In some cases both speed of activity and level of control are enhanced and/or weeds can be controlled which are not controlled by either component at economical rates.

15           This synergistic effect allows for satisfactory control at reduced application rates for each component and even at levels which if applied for a particular component alone would give insufficient control. Additionally, longer residual control may be achieved. This provides for significant economic and environmental advantages in the use of dimethenamid and the herbicide(s) used in combination therewith.

20           Co-application can be achieved using tank mixes of preformulated individual active ingredients, simultaneous or sequential (preferably 1-2 days) application of such formulations or application of preformulated fixed pre-mix combinations of the individual active ingredients.

25           Examples of herbicides which may be used in combination with dimethenamid in accordance with the invention include

1. auxin transport inhibitors, e.g. naptalam
2. growth regulators, including 1) benzoic acids, e.g. dicamba; b) phenoxy acids



i) acetic acid type, e.g. 2,4-D, MCPA, ii) propionic acid type, e.g. 2,4-DP, MCPP, iii) butyric acid type, e.g. 2,4-DB, MCPB; c) picolinic acids and related compounds, e.g. picloram, triclopyr, fluroxypyr, clopyralid

3. photosynthesis inhibitors, including a) s-triazines i) chloro substituted, e.g. atrazine, simazine, cyanazine, ii) methoxy substituted, e.g. prometon, iii) methylthio substituted, e.g. ametryn, prometryn; b) other triazines, e.g. hexazinone, metribuzin; c) substituted ureas, e.g. diuron, fluometuron, linuron, tebuthiuron, thidiazuron, forchlorfenuron; d) uracils, e.g. bromacil, terbacil; e) others, e.g. bentazon, desmedipham, phenmedipham, propanil, pyrazon, pyridate

4. pigment inhibitors, including a) pyridazinones, e.g. norflurazon; b) isoxazolones, e.g. clomazone; c) others, e.g. amitrole, fluridone

5. growth inhibitors, including a) mitotic disruptors i) dinitroanilines, e.g. trifluralin, prodiamine, benefin, ethalfluralin, isopropalin, oryzalin, pendimethalin; ii) others, e.g. DCPA, dithiopyr, thiazopyr, pronamide; b) inhibitors of shoots of emerging seedlings i) thiocarbamates, e.g. EPTC, butylate, cycloate, molinate, pebulate, thiobencarb, triallate, vernolate; c) inhibitors of roots only of seedlings, e.g. bensulide, napropamide, siduron; d) inhibitors of roots and shoots of seedlings, including chloroacetamides e.g. alachlor, acetochlor, metolachlor, diethatyl, propachlor, butachlor, pretilachlor, metazachlor, dimethachlor, and others e.g. cinmethylin

6. amino acid synthesis inhibitors, including a) glyphosate, glufosinate; b) sulfonylureas, e.g. rimsulfuron, metsulfuron, nicosulfuron, triasulfuron, primisulfuron, bensulfuron, chlorimuron, chlorsulfuron, sulfometuron, thifensulfuron, tribenuron, ethametsulfuron, triflusulfuron, clopyrasulfuron, pyrazasulfuron, prosulfuron (CGA-152005), halosulfuron, metsulfuron-methyl, chlorimuron-ethyl; c) sulfonamides, e.g. flumetsulam (a.k.a. DE498); d) imidazolinones, e.g. imazaquin, imazamethabenz, imazapyr, imazethapyr, imazmethapyr

7. lipid biosynthesis inhibitors, including a) cyclohexanediones, e.g. sethoxydim, clethodim; b) aryloxyphenoxys, e.g. fluazifop-(P-butyl), diclofop-methyl, haloxyfop-methyl, quizalofop; c) others e.g. fenoxaprop-ethyl
8. cell wall biosynthesis inhibitors, e.g. dichlobenil, isoxaben
- 5 9. rapid cell membrane disruptors, including a) bipyridiliums, e.g. paraquat, diquat; b) diphenyl ethers, e.g. acifluorfen, fomesafen, lactofen, oxyfluorfen; c) glutamine synthetase inhibitors, e.g. glufosinate; d) others, e.g. oxadiazon
10. miscellaneous, including a) carbamates, e.g. asulam; b) nitriles, e.g. bromoxynil, ioxynil; c) hydantocidin and derivatives; d) various, e.g. paclobutrazol, ethofumesate, quinclorac (a.k.a. BAS514), difenzoquat, endothall, fosamine, DSMA, MSMA
- 10 11. Others
  - a) triketones and diones of the type described in US Patents 4,695,673; 4,869,748; 4,921,526; 5,006,150; 5,089,046, US Patent Applications 07/411,086 (and EP-A-338,992); and 07/994,048 (and EP-A-394,889 and EP-A-506,907) as well as EP-A-137,963; EP-A-186,118; EP-A-186,119, EP-A-186,120; EP-A-249,150; EP-A-336,898; the contents of each of which are incorporated herein by reference. Examples of such triketones and diones are sulcotrione (MIKADO®) whose chemical designation is 2-(2-chloro-4-methanesulfonylbenzoyl)-1,3-cyclohexane dione: 2-(4-methylsulfonyloxy-2-nitrobenzoyl)-4,4,6,6-tetramethyl-1,3-cyclohexanedione; 3-(4-methylsulfonyloxy-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 3-(4-methylsulfonyl-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)dione; 4-(4-methylthio-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)-dione; 3-(4-methylthio-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(2-nitro-4-trifluoromethoxybenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)-dione.
  - 20
  - 25 b) Compounds of the type described in US Patent Applications 08/036,006 (and EP-A-461,079 and EP-A-549,524); EP-A-315,889; and PCT Appln. No. 91/10653 the contents of each of which are incorporated herein by reference including for example

3-[(4,6-dimethoxy-2-pyrimidinyl)hydroxymethyl]-N-methyl-2-pyridine carboxamide; 4,7-dichloro-3-(4,6-dimethoxy-2-pyrimidinyl)-3-hexanoyloxyphthalide; 3-[(4,6-dimethoxy-2-pyrimidinyl)carbonyl]-N,N-dimethyl-2-pyridine carboxamide; 3,6-dichloro-2-[(4,6-dimethoxy-2-pyrimidinyl)carbonyl]benzoic acid; 6-chloro-2-[(4,6-dimethoxy-2-pyrimidinyl)thio]benzoic acid (a.k.a. DPX-PE350 or pyriithobac) and salts thereof.

The present invention therefore concerns a method of combatting or controlling undesired plant growth or otherwise regulating plant growth which comprises co-applying to a locus where such combatting or control is desired an herbicidally or plant growth regulating effective aggregate amount of dimethenamid and at least one other herbicide.

Application rates for co-application will of course vary depending upon climatic conditions, season, soil ecology, weeds to be combatted and the like, however, successful results can be obtained e.g. with rates of dimethenamid of 0.1 to 3.0 kg/ha, preferably 0.1 to 2.0 kg/ha, especially 0.25 to 1.5 kg/ha e.g. 0.9 to 1.5 kg/ha in co-application with rates for partner herbicides which correspond to or are significantly lower than recommended for use thereof individually.

The suitability of specific co-applications for pre- or post-emergent uses and selectively will of course depend on the partners chosen.

The activity of dimethenamid is described in the above mentioned patents and that of suitable herbicidal partners is described in the literature or on commercially available forms thereof (cf also CROP PROTECTION CHEMICALS REFERENCE, 9th edition (1993) Chemical & Pharmaceutical Press, NY, NY; The Pesticide Manual, 9th edition (1991), British Crop Protection Council, London; Ag Chem New Product Review, Ag Chem Information Services, Indianapolis, Indiana; Farm Chemicals Handbook, 1993 edition, Meister Publishing Company, Willoughby, Ohio and the like).

The invention also provides herbicidal or plant growth regulating compositions comprising an herbicidally effective aggregate amount of dimethenamid and at least one other herbicide.

Such compositions contain the active substances in association with agriculturally acceptable diluents. They may be employed in either solid or liquid forms e.g. in the form of a wettable powder or an emulsifiable concentrate, incorporating conventional diluents. Such compositions may be produced in conventional manner, e.g. by mixing the active ingredient with a diluent and optionally other formulating ingredients such as surfactants and oils.

The term diluents as used herein means any liquid or solid agriculturally acceptable material which may be added to the active constituent to provide a more easily or improved applicable form, or to achieve a usable or desirable strength of activity. Examples of diluents are talc, kaolin, diatomaceous earth, xylene, non-phytotoxic oils, or water.

Particular formulations, to be applied in spraying forms such as water dispersible concentrates or wettable powders, may contain surfactants such as wetting and dispersing agents, e.g. the condensation product of formaldehyde with naphthalene sulphonate, an alkylarylsulphonate, a lignin sulphonate, a fatty alkyl sulphate, an ethoxylated alkylphenol or an ethoxylated fatty alcohol.

In general, the formulations include from 0.01 to 90% by weight of active agent(s) and from 0 to 20% by weight of agriculturally acceptable surfactant, the active agent consisting of dimethenamid and at least one other herbicide. Concentrate forms of compositions generally contain between about 2 and 90%, preferably between about 5 and 80% by weight of active agent. Application forms of formulation may for example contain from 0.01 to 20% by weight of active agent.

When employing concurrent, immediately sequential or tank mix applications the

herbicide partner(s) can be employed in commercially available form if appropriate and at rates equivalent to or preferably below those recommended by the manufacturer or in the references cited above. Dimethenamid can also be applied in commercially available form (e.g. as FRONTIER® herbicide) or as formulated e.g. as described in the above-mentioned  
5 USP 4,666,502.

On co-application according to the present invention other compounds having biological activity, e.g. compounds having insecticidal or fungicidal activity, may also be included.

The preferred mode of application is tank mix prepared e.g. by adding dimethenamid to a tank containing the other herbicide partner and an appropriate surfactant or vice versa depending on the type of herbicide partner chosen. It is advisable to consult labels of mixing partners and to conduct compatibility tests prior to mixing.

Depending on the choice of co-application partners both pre- and post- emergence activity on a large range of broadleaf and grassy weeds may be achieved. Examples of such weeds are

20 Agropyron repens - quackgrass

Brachiaria platyphylla - broadleaf signalgrass

Bromus spp - e.g. downybrome

Cenchrus spp. - e.g. southern sandbur, sandbur, field sandbur

Dactyloctenium aegyptium - crowfootgrass

25 Digitaria spp - e.g. crabgrass, smooth crabgrass, large crabgrass

Echinochloa crus-galli - barnyardgrass

Eleusine indica - goosegrass

Eriochloa spp. - e.g. southwestern cupgrass, prairie cupgrass, woolly cupgrass

Leptochloa filiformis - red spangletop

- Oryza sativa - red rice
- Panicum spp - e.g. witchgrass and fall-, browntop- and texas-panicum, wild proso millet
- Poa annua - annual bluegrass
- Setaria spp - e.g. giant foxtail, foxtail millet, yellow foxtail, bristly foxtail, green foxtail
- 5 Sorghum alnum - sorghum alnum
- Sorghum bicolor - shattercane
- Sorghum halepense - seedling johnson grass
- Urochloa panicoides - liverseedgrass
- Acanthospermum hispidum - bristly starbur
- 10 Amaranthus spp - e.g. pigweed, tumble pigweed: smooth pigweed, redroot pigweed, prostrate pigweed, waterhemp, spiny amaranth
- Ambrosia artemisiifolia - common ragweed
- Bidens pilosa - hairy beggarticks
- Capsella bursa-pastoris - shepherdspurse
- 15 Chenopodium album - common lambsquarters
- Cleome monophylla - spindlepod
- Commelina spp - e.g. dayflower
- Crotalaria sphaerocarpa -
- Datura stramonium - jimsonweed
- 20 Desmodium tortuosum - Florida beggarweed
- Euphorbia nutans - nodding spurge
- Euphorbia maculata - spotted spurge
- Galinsoga parviflora - smallflower galinsoga
- Ipomea spp. - e.g. ivyleaf-, tall-, pitted morningglory
- 25 Lamium purpureum - purple deadnettle
- Matricaria chamomilla - wild chamomile
- Mollugo verticillata - carpetweed
- Papaver rhoeas - corn poppy
- Polygonum spp. - e.g. smartweed, annual smatweed, wild buckwheat, prostrate knotweed

Portulaca oleracea - common purslane

Richardia scabra - Florida pusley

Schkuhria pinnata - dwarf marigold

Sida spinosa - prickly sida

- 5 Solanum spp. - e.g. black nightshade, E. black nightshade, hairy nightshade, silverleaf nightshade

Stellaria media - common chickweed

Tagetes minuta - wild marigold (khaki weed)

Cyperus esculentis - yellow nutsedge

- 10 Cyperus iria - rice flatsedge

In addition the following weeds may also be controlled when employing appropriate mixing partners.

- 15 Abutilon theophrasti - velvetleaf

Hibiscus trionum - Venice mallow

Avena fatua - wild oats

Sinapis alba - white mustard

Xanthium strumarium - common cocklebur

- 20 Cassia obtusifolia - sicklepod

Apera spica-venti - windgrass

Campsis radicans - trumpet creeper

Rottboellia exaltata - itchgrass

Cynodon dactylon - bermudagrass

- 25 Lespedeza spp. - e.g. lespedezas

Trifolium spp. - e.g. clovers

Hippuris vulgaris - marestail

Asclepias spp. - e.g. milkweeds

Salvia spp. - e.g. lanceleaf sage

Salsola iberica - Russian thistle

Convolvulus arvensis - field bindweed

Cirsium arvense - Canada thistle

Proboscidea louisianica - devilsclaw

5 Senecio spp. - e.g. common groundsel

Chorispora tennela - blue mustard

Alopecurus myosuroides - blackgrass

Sisymbrium altissimum - tumble mustard

Caperionia palustris - texasweed

10

Crop selectivity will also usually depend upon choice of partners. Dimethenamid exhibits excellent selectivity in corn (maize), soybean and several other crops.

15 Examples of particular partners for co-application with dimethenamid include these selected from one or more of the types listed under a) through w) below.

- a. benzoic acids, e.g. dicamba
- b. picolinic acids and related compounds, e.g. picloram, triclopyr, fluroxypur, clopyralid
- 20 c. phenoxys, e.g. 2,4-D, 2,4-DB, triclopyr, MCPA, MCPP, 2,4-DP, MCPB
- d. other chloracetamides, e.g. alachlor, acetochlor, metolachlor, diethatyl, propachlor, butachlor, pretilachlor, metazachlor, dimethachlor especially metolachlor, alachlor, acetochlor
- e. amides, e.g. propanil, naptalam
- 25 f. carbamates, e.g. asulam
- g. thiocarbamates, e.g. EPTC, butylate, cycloate, molinate, pebulate, thiobencarb, triallate, vernolate
- h. nitriles, e.g. bromoxynil, ioxynil
- i. ureas, e.g. diuron, thidiazuron, fluometuron, linuron, tebuthiuron,



forchlorfenuron

- j. triazines, e.g. atrazine, metribuzin, cyanazine, simazine, prometon, ametryn, prometryn, hexazinone
- k. diphenyl ethers, e.g. acifluorfen, fomesafen, lactofen, oxyfluorfen
- 5 l. dinitroanilines, e.g. trifluralin, prodiamine, benefin, ethalfluralin, isopropalin, oxyzalin, pendimethalin
- m. sulfonylureas e.g. rimsulfuron, metsulfuron, nicosulfuron, triasulfuron, primisulfuron, bensulfuron, chlorimuron, chlorsulfuron, sulfometuron, thifensulfuron, tribenuron, ethametsulfuron, triflusulfuron, clopyrasulfuron, pyrazasulfuron, prosulfuron (CGA-152005), halosulfuron, metsulfuron-methyl, chlorimuron-ethyl;
- 10 n. imidazolinones, e.g. imazaquin, imazamethabenz, imazapyr, imazethapyr, imazmethapyr
- o. cyclohexanediones, e.g. sethoxydim
- 15 p. aryloxyphenoxys, e.g. fluazifop
- q. bipyridiliums, e.g. paraquat, diquat
- r. pyridazinones, e.g. norflurazon
- s. uracils, e.g. bromacil, terbacil
- t. isoxazolones, e.g. clomazone
- 20 u. various, e.g. glyphosate, glufosinate, methazole, paclobutrazol, bentazon, desmedipham, phenmedipham, pyrazon, pyridate, amitrole, fluridone, DCPA, dithiopyr, pronamide, bensulide, napropamide, siduron, flumetsulam, sethoxydim, fluazifop, clethodim, diclofop-methyl, fenoxaprop-ethyl, haloxyfop-methyl, quizalofop, diclobenil, isoxabenz, oxadiazon, paclobutrazol, ethofumesate, quinclorac, difenzoquat, entothall, fosamine, DSMA, MSMA
- 25 v. Group 11a "others" as described above.
- w. Group 11b "others" as described above.

Especially preferred partners among groups a) through w) are those of groups a), m),

n), u) and v), i.e. the sulfonylureas and the triketones and diones.

The co-application of the combination of dimethenamid and triketone(s) or dione(s) according to present invention is especially suitable in crops of monocotyledons, such as cereals, maize and rice. However, application in maize crops being infested with monocotyledonous and dicotyledonous weeds is most advantageous, as harmful effects against the crop plants are not enhanced. Both pre- and postemergence application to the undesired weeds is possible with this preferred combination. However, the preferred time point of application in maize is after emergence of the maize seedlings.

Application rates for co-application of dimethenamid and a triketone or dione will of course vary depending upon climatic conditions, season, soil ecology, weeds to be combatted and the like, however, successful results can be obtained, e.g. in co-application with rates of the triketone or dione which are significantly lower than recommended for use thereof alone; e.g. 0.01 to 2 kg/ha, preferably 0.1 to 1 kg/ha, especially 0.1 to 0.6 kg/ha.

From this group, combinations are preferred wherein the triketone or dione is selected from 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5-(4H,6H) dione, and sulcotrione, with sulcotrione being preferred.

The most preferred combination of this type is that of sulcotrione and dimethenamid. The mixture ratio will be determined according to the specific soil, crop and climate condition of use. As an example the co-application rates will be in the range of 0.9 to 1.5 kg/ha of dimethenamid and 0.15 to 0.45 kg/ha of sulcotrione. The ratio of the active ingredient in the composition by weight of sulcotrione and dimethenamid is between 1:2 and 1:10.

For the co-application in a preferred 3-way mix comprising dimethenamid and a triketone or dione of group v), the third component is preferably selected from the group

j), i.e. the group of triazine herbicides. In a typical 3-way mix the triazine component will be present in a ratio of 3:1 to 1:3 relative to the dimethenamid content, with an excess of dimethenamid being preferred, i.e. a preferred ratio of 1:1 to 1:3, e.g. 1 : 1.5. The preferred triazine herbicide in this type of a 3-way mix is atrazine.

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The co-application of the combination of dimethenamid and sulfonylurea(s) according to present invention is especially suitable in crops of monocotyledons, such as cereals, maize, sugar cane and rice. For example, application in sugar cane being infested with monocotyledonous and dicotyledonous weeds is particularly advantageous, as the harmful effects against the crop plants are not enhanced, but the weeds are controlled very effectively. Both pre- and postemergence applications to the undesired weeds is possible with this combination. However, the preferred time point of application to sugar cane is after emergence of the sugar cane seedlings, or transplantation of ratoon cane.

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In this use the application rates for co-application of dimethenamid and a sulfonylurea will of course vary depending upon climatic conditions, season, soil ecology, weeds to be combatted and the like, however, successful results can be obtained, e.g. in co-application with rates of the sulfonylurea which are significantly lower than the recommended use thereof alone; e.g. 1 to 150 g/ha, preferably 10 to 100 g/ha.

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From this group the preferred combination for control of weeds in sugar cane is one wherein the sulfonylurea is chlorimuron. The mixture ratio will be determinable according to the specific soil, crop and climate condition of use. As an example the co-application rates will be in the range of 0.9 to 3.0 kg/ha of dimethenamid and 10 to 100 g/ha of chlorimuron. For the combatting of cyperus spp. in sugar cane crop they may be for example 2.0 to 3.0 kg/ha of dimethenamid and 50 to 90 g/ha of chlorimuron. The ratio of active ingredient in the composition by weight of chlorimuron and dimethenamid is between 1:3000 and 1:20, preferably 1:30 to 1:60, e.g. 1:34 or 1:38 or 1:45.

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For the co-application in a preferred 3-way mix comprising dimethenamid and a sulfonylurea of group m), the third component is preferably selected from the group i), i.e. the group of urea herbicides. In a typical 3-way mix the urea component will be present in a ratio of 2:1 to 1:4, relative to the dimethenamid content, with an excess of dimethenamid being preferred, i.e. a preferred ratio of 1:1 to 1:3, e.g. 1:2. The preferred urea herbicide in this type of a 3-way mix is diuron.

It will be appreciated that mixtures of dimethenamid with more than one herbicide e.g. 3-way mixes are also included within the purview of the invention.

Examples of specific mixing partners can be selected for example from the following: paraquat (e.g. as GRAMOXONE® or GRAMOXONE®EXTRA), simazine (e.g. as PRINCEP®), glyphosate (e.g. as ROUNDUP®), glufosinate (e.g. as BASTA®); (Compound Group I) .

Further examples of specific mixing partners can be selected from the following: atrazine, cyanazine (e.g. as BLADEx® or together with atrazine as EXTRAZINE® or EXTRAZINE®II) terbutylazine, pendimethalin (e.g. as PROWL®), metribuzin, linuron (Compound Group II).

Further examples of specific mixing partners can be selected from the following: nicosulfuron (e.g. as ACCENT®) rimsulfuron (e.g. as TITUS®) and primisulfuron (e.g. as BEACON®) (Compound Group III).

Further examples of specific mixing partners can be selected from the following imazethapyr (e.g. as PURSUIT®), imazaquin (e.g. as SCEPTER®), chloramben, aclonifen (Compound Group IV).

Further examples of specific mixing partners can be selected from the following:

dicamba (e.g. as BANVEL®, as CLARITY® (in DGA salt form) or together with atrazine as MARKSMAN®).

5 Further examples of specific mixing partners can be selected from sethoxydim (e.g. as POAST®), fluazifop (e.g. as FUSILADE®) (Compound Group V).

Further examples of specific mixing partners can be selected from the following: sulcotrione (e.g. as MIKADO®) and 4-(4-chloro-2-nitro-benzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5-(4H,6H) dione (Compound Group VI).

10 Further examples of specific mixing partners for 3-way mix are sulcotrione (e.g. as MIKADO®) and atrazine (e.g. as GESAPRIM®) (Compound Group VIa).

15 Further examples of specific mixing partners include chlorimuron (e.g. as CLASSIC® or in a 3-way mix together with diuron as FRONT®) (Compound Group VII).

According to the desired weed spectrum, time of application and the like other specific herbicides listed within the groups a) through w) above are also particular examples of suitable mixing partners.

20 It has now also been found that very efficient control of grassy weeds in crops of sugar cane can also be with herbicides of the class of chloracetamides in co-application with at least one herbicide of the class of sulfonyleurea herbicides (group m) optionally in the presence of at least one herbicide of the class of the urea herbicide (group i). These components synergistically enhance the herbicidal effect of the mixture. The chloroacetamides are widely used in agricultural practice. Preferred species of this group are inter alia Alachlor (LASSO®) whose chemical designation is 2-chloro-2',6'-diethyl-N-methoxymethyl-acetanilide; Acetochlor (HARNESS®) whose chemical designation is 2-chloro-N-(ethoxymethyl)-N-(2-ethyl-6-methylphenyl)acetamide; Metolachlor (DUAL®) whose

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chemical designation is 2-chloro-6'-ethyl-N-(2-methoxy-1-methylethyl)-aceto-toluidide; Metazachlor (BUTISAN S®) whose chemical designation is 2-chloro-N-(pyrazol-1-yl-methyl)acet-2',6'-xylidide; and dimethenamid (FRONTIER®) whose chemical designation is 2-chloro-N(2,4-dimethyl-3-thienyl)-N-(2-methoxy-1-methylethyl)-acetamide.

Application rates of chloroacetamides for co-application will of course vary depending upon climatic conditions, season, soil ecology, weeds to be combatted and the like, however, successful results in sugar cane can be obtained e.g. with rates of the chloroacetamide of 1 to 6 kg/ha. preferably 2 to 5.5 kg/ha in co-application with sulfonylurea and urea herbicides. For example the specific application rates of the chloroacetamide component is 3 to 6 kg/ha for Alachlor, e.g. 5.9 kg/ha, and 3 to 5 kg/ha for Metolachlor, e.g. 4.3 kg/ha.

The mixture ratio of the chloroacetamide herbicide with the sulfonylurea is generally between 20:1 and 300:1, preferably 20:1 to 100:1, e.g. 30:1 or 90:1. When a urea herbicide is co-applied with the mixture of a chloroacetamide and a sulfonylurea it may preferably be applied in a ratio of 1:1 to 1:5, relative to the chloroacetamide. e.g. 1:2 or 1:3 or 1:4. The preferred chloroacetamides other than dimethenamid to be applied in sugar cane with chlorimuron and diuron are acetochlor or metolachlor.

Thus, another aspect of present invention is the control of grassy weeds in sugar cane with a combination of a chloroacetamide in association with a sulfonylurea and an urea herbicide. Specific preferred combinations for this use are mixtures of dimethenamid, acetochlor, alachlor or metolachlor with a combination of chlorimuron and diuron, e.g. in the commercially available 1:19 mixture FRONT®.

**EXAMPLE 1**

Active ingredients are weighed and dissolved in a stock solution consisting of acetone:deionized water, 1:1, and 0.5% adjuvant mixture consisting of surfactants SPAN® 20:TWEEN® 20:TWEEN® 85, 1:1:1. Dilutions from this stock solution are performed to allow for preparation of spray solutions consisting of single doses of individual or combined active ingredients. Each dose is applied simultaneously via a linear track sprayer set to deliver 600 liters/ha spray volume to both the foliage of the selected weed seedling species, postemergence application, and the surface of soil that had been previously sown with seeds, preemergence application. The seedlings used are cultured to develop plants at the two- to early three-leaf stage. The stage of development of each seedling at application time is recorded. After application, the treated plants are transferred to the greenhouse and held until termination of the experiment within four weeks. Symptoms of injury are recorded two and ten days after postemergence application and fourteen days after preemergence application. Visual percentage ratings of crop injury and weed control are taken ten and twenty-eight days after postemergence application and fourteen and twenty-eight days after preemergence application.

Co-application of dimethenamid with other specific active ingredients such as outlined above produces improved herbicidal effects compared with application of each active ingredient alone.

**EXAMPLE 2**

A field trial is carried out employing dimethenamid (as FRONTIER® 7.5 EC) and nicosulfuron (as ACCENT® 75 WDG) in control of large crabgrass in corn. Application is as tankmix combination at early post-emergence of the weeds (3 and 4 leaf stages). Application rates of a.i. are 1.5 and 0.75 kg/ha for dimethenamid and 37.2 and 19.2 g/ha for nicosulfuron. Combined application of 0.75 kg/ha of dimethenamid and 19.2 g/ha of nicosulfuron gave 85% control with negligible corn damage compared with 35% for nicosulfuron applied alone at 19.2 g/ha and 72% for dimethenamid at a higher rate of 1.25

kg/ha. Combined application at the higher rate of dimethenamid with 37.2 g/ha of nicosulfuron gave an even more dramatic effect with 95% control compared with 72% for dimethenamid and only 45% for nicosulfuron each alone.

- 5            Similar effects are noticed on combined treatment of broadleaf weeds such as lambsquarters, prickly sida and morningglory employing 1.12 kg/ha of dimethenamid (as FRONTIER®) and 0.071 kg/ha of imazethapyr (as PURSUIT®).

### EXAMPLE 3

- 10           Small field units in a maize field, infested with *echinochloa crus galli* and *solanum nigrum* are sprayed with a tank-mix suspension of dimethenamid and sulcotrione. The stage of the weeds is "full tillering" for *echinochloa crus galli* and "8-leaves stage" for *solanum nigrum*. The lot size is 8 meters in length and 3 meters in width. The application rates are 1.1 kg/ha of dimethenamid and 0.15 kg/ha of sulcotrione. Seven days after treatment the  
15           efficacy is evaluated, both as control of the weeds and as tolerance of the crop plants.

In this test the control of *echinochloa* was between 93 and 98%, and the control of *solanum* was between 91 and 93% in three repetitions, while the damage of the maize plants was always below 10%.

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### EXAMPLE 4

- 25           Small field units in a maize field, infested with *echinochloa crus galli*, *solanum nigrum* and *chenopodium album* are sprayed with a tank-mix suspension of dimethenamid, sulcotrione and atrazine. The stage of the weeds is "full tillering" for *echinochloa* and "6-8 leaves stage" for *solanum* and *chenopodium*. The lot size is 8 meters in length and 3 meters in breadth. The application rates are 1.08 kg/ha of dimethenamid, 150 or 210 g/ha of sulcotrione and 750 g/ha of atrazine. 14 days after treatment the efficacy is evaluated. The results (in percentage control) were as follows:



Compound a.i./ha	Echinochloa control	expected additive effect	synergistic effect
Atrazine 1500	23	-	
Dimethenamid/Atrazine 1080/750	30	-	
Sulcotrione/Atrazine 150/750	26	-	
Sulcotrione/Atrazine 210/750	33	-	
Dimethenamid/Sulcotrione/Atrazine 1080/150/750	95	56	+ 39
Dimethenamid/Sulcotrione/Atrazine 1080/210/750	97	59	+ 42
	Solanum/ Chenopodium		
Atrazine 1500	16	-	
Dimethenamid/Atrazine 1080/750	36	-	
Sulcotrione/Atrazine 150/750	23	-	
Sulcotrione/Atrazine 210/750	53	-	
Dimethenamid/Sulcotrione/Atrazine 1080/150/750	97	53	+ 44
Dimethenamid/Sulcotrione/Atrazine 1080/210/750	100	89	+ 11

The synergistic effect is clearly visible at the lower rates of sulcotrione, resulting in a nearly doubled degree of control, compared to the expected additive efficacies. For the higher rates of sulcotrione, (> 300 g/ha) only the additive effect remains visible since the total control is 100%.

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### EXAMPLE 5

A field trial is carried out on plots (2 x 20 m) planted with sugar cane and infested with cyperus rotundus in the first or second growing stage and sprayed with a backpack sprayer in different concentrations in a tank mix. The amount of liquid spray broth is 400 l/ha. The application rates are 2.7 kg/ha of dimethenamid with 60 g/ha of chlorimuron or with 1.6 kg/ha of a fixed ratio mixture of chlorimuron and diuron (1 : 19) which is commercially available as FRONT®. Visual evaluation is done 30 or 60 days after treatment (DAT) in percentage of control. The expected additive effect value is calculated according to the method of Colby:

Compound a.i./ha conditions	Cyperus Control (DAT)	expected additive effect	synergistic effect
<u>light to medium soil</u>			
Dimethenamid 2.7 kg	19 (60 DAT)	-	
Chlorimuron/Diuron 1.6kg	45 (60 DAT)	-	
Dimethenamid/Chlorimur on/Diuron 2.7 + 1.6 kg	76 (60 DAT)	55	+ 21

5	<u>heavy soil</u>			
	Dimethenamid 2.7 kg	10 (60 DAT)	-	
	Chlorimuron/Diuron 1.6 kg	37 (60 DAT)	-	
	Dimethenamid/Chlorimuron/Diuron 2.7 + 1.6 kg	74 (60 DAT)	43	+ 31
10	<u>light to medium soil</u>			
	Dimethenamid 2.25 kg	23 (30 DAT)	-	
	Chlorimuron/Diuron 1.2 kg	48 (30 DAT)	-	
	Dimethenamid/Chlorimuron/Diuron 2.25 + 1.2 kg	80 (30 DAT)	60	+ 20
15	<u>light to medium soil</u>			
	Dimethenamid 2.7 kg	27 (30 DAT)	-	
	Chlorimuron/Diuron 1.2 kg	48 (30 DAT)	-	
	Dimethenamid/Chlorimuron/Diuron 2.7 + 1.2 kg	88 (30 DAT)	62	+ 26
20	<u>light to medium soil</u>			
	Dimethenamid 2.7 kg	27 (30 DAT)	-	
	Chlorimuron 0.06 kg	58 (30 DAT)	-	
	Dimethenamid/Chlorimuron 2.7 + 0.06 kg	93 (30 DAT)	69	+ 24

The achieved results indicate that synergistic effects are obtained with the 2-way mix (dimethenamid/chlorimuron), as well as with the 3-way mix (dimethenamid/chlorimuron/diuron).

## 5 EXAMPLE 6

In the procedure as set out in Example 5, tank mixtures of 5.7 kg/ha of alachlor or 4.3 kg/ha of metolachlor with 1.2 kg/ha of the fixed ratio mixture of chlorimuron and diuron (1 : 19; commercial FRONT®) where applied to a sugar cane field. The results were as follows:

Compound a.i./ha conditions	Cyperus Control (DAT)	expected additive effect	synergistic effect
<u>light to medium soil</u>			
Alachlor 5.4 kg	30 (30DAT)	-	
Chlorimuron/Diuron 1.2 kg	48 (30DAT)	-	
Alachlor/Chlorimuron/ Diuron 5.4 + 1.2 kg	85 (30DAT)	64	+ 21
<u>light to medium soil</u>			
Metolachlor 4.3 kg	23 (30DAT)	-	
Chlorimuron/Diuron 1.2 kg	48 (30DAT)	-	
Metolachlor/Chlorimuron / Diuron 4.3 + 1.2 kg	89 (30 DAT)	60	+ 29

The achieved results indicate that synergistic effects are obtained with the tested 3-way mixtures.

WHAT IS CLAIMED IS

1. A method of controlling undesired plant growth which comprises co-application to the locus of said undesired plants growth dimethenamid and at least one other herbicide in a herbicidally effective aggregate amount.

2. A method according to claim 1, wherein the other herbicide is selected from the group comprising auxin transport inhibitors, growth regulator herbicides, photosynthesis inhibitors, pigment inhibitors, growth inhibitors, amino acid synthesis inhibitors, lipid biosynthesis inhibitors, cell wall biosynthesis inhibitors, rapid cell membrane disruptors, carbamates, nitriles, hydantocidines, triketones and diones.

3. A method according to claim 2, wherein the other herbicide is selected from the group comprising the sulfonylureas and the triketones and diones.

4. A method according to claim 3, wherein the other herbicide is a sulfonylurea herbicide selected from rimsulfuron, metsulfuron, metsulfuron-methyl, nicosulfuron, triasulfuron, primisulfuron, bensulfuron, chlorimuron, chlorimuron-ethyl, chlorsulfuron, sulfometuron, thifensulfuron, tribenuron, ethametsulfuron, clopyrasulfuron, pyrazasulfuron, prosulfuron and halosulfuron.

5. A method according to claim 3, wherein the other herbicide is a triketone herbicide selected from the group comprising 2-(2-chloro-4-methanesulfonylbenzoyl)-1,3-cyclohexanedione; 2-(4-methylsulfonyloxy-2-nitrobenzoyl)-4,4,6,6-tetramethyl-1,3-cyclohexanedione; 3-(4-methylsulfonyloxy-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 3-(4-methylsulfonyl-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H, 6H)dione; 4-(4-methylthio-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H, 6H)-dione; 3-(4-methylthio-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; (2-nitro-4-trifluoromethoxybenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-

3,5-(4H, 6H)-dione.

6. A method according to claim 2 wherein the other herbicide is selected from one or more of dicamba, nicosulfuron, rimsulfuron, imazethapyr, glyphosate, glufosinate, sethoxydim, fluazifop, sulcotrione, chlorimuron and diuron.

7. A method according to claim 1, wherein the amount of dimethenamid is from 0.1 to 3.0 kg/ha, preferably 0.25 to 1.5 kg/ha.

8. A method according to claim 4, wherein the amount of the sulfonylurea is from 1 to 150 g/ha, preferably 10 to 100 g/ha.

9. A method according to claim 5, wherein the amount of triketone is from 0.05 to 2 kg/ha, preferably 0.1 to 0.6 kg/ha.

10. A herbicidal composition comprising a herbicidally effective aggregate amount of dimethenamid and at least one other herbicide, and an agriculturally acceptable carrier.

11. A composition according to claim 10, characterized in that it contains dimethenamid and at least one other herbicide in a quantity producing a synergistic herbicidal effect.

12. A composition according to claim 10, wherein the other herbicide is selected from the group comprising rimsulfuron, metsulfuron, metsulfuron-methyl, nicosulfuron, triasulfuron, primisulfuron, bensulfuron, chlorimuron, chlorimuron-ethyl, chlorsulfuron, sulfometuron, thifensulfuron, tribenuron, ethametsulfuron, clopyrasulfuron, pyrazasulfuron, prosulfuron, halosulfuron, 2-(2-chloro-4-methanesulfonylbenzoyl)-1,3-cyclohexane dione; 2-(4-methylsulfonyloxy-2-nitrobenzoyl)-4,4,6,6-tetramethyl-1,3-cyclohexanedione; 3-(4-

methysulfonyloxy-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 3-(4-methylsulfonyl-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(4-chloro-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H, 6H)dione; 4-(4-methylthio-2-nitrobenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5(4H,6H)-dione; 3-(4-methylthio-2-nitrobenzoyl)-bicyclo[3,2,1]octane-2,4-dione; 4-(2-nitro-4-trifluoromethoxybenzoyl)-2,6,6-trimethyl-2H-1,2-oxazine-3,5-(4H, 6H)-dione.

13. A composition according to claim 10 wherein the active component is selected from one or more of dicamba, nicosulfuron, rimsulfuron, imazethapyr, glyphosate, glufosinate, sethoxydim, fluazifop, sulcotrione, chlorimuron and diuron.

14. A method for combatting grassy weeds in sugar cane which comprises co-application to the locus of said weeds a chloroacetamide herbicide and at least one sulfonylurea herbicide in a herbicidally effective aggregate amount.

15. A method according to claim 14, comprising additionally co-application of an urea herbicide in a herbicidally effective aggregate amount.

16. A synergistic herbicidal composition for the control of grassy weeds in sugar cane comprising a herbicidally effective amount of a chloroacetamide herbicide an at least one sulfonylurea herbicide, and an agriculturally acceptable carrier.

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ABSTRACT OF THE DISCLOSURE

HERBICIDE COMPOSITIONS

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Co-application of dimethenamid with other herbicides provides improved herbicidal activity.

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03944936-034597  
265750-9267530



**DECLARATION AND POWER OF ATTORNEY FOR**  
**UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

**HERBICIDAL COMPOSITIONS**

the specification of which

   is attached hereto.

/X/ was filed on June 23, 1994 as application Serial No. 08/265,594.

/   was filed as Patent Cooperation Treaty international application No. \_\_\_\_\_ on \_\_\_\_\_, 19\_\_\_\_, if this box contains an X /  , was amended on under Patent Cooperation Treaty Article 19 on \_\_\_\_\_, 19\_\_\_\_, and if this box contains an X /  , was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate indicated below and of any Patent Cooperation Treaty international applications(s) designating at least one country other than the United States indicated below and have also identified below any foreign application(s) for patent or inventor's certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application for said subject matter the priority of which is claimed:

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
<u>Great Britain</u>	<u>9313210.8</u>	<u>June 25, 1993</u>	<u>/ / Yes / / No</u> <u>/ / Yes / / No</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and of any Patent Cooperation Treaty international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or Patent Cooperation Treaty international filing date of this application:

<u>Application</u>	<u>Filed</u>	<u>Status (Pending, Abandoned, Patented)</u>
<u>Serial No.</u>		
<u>08/236,732</u>	<u>May 2, 1994</u>	<u>PENDING</u>
<u>08/153,946</u>	<u>November 16, 1993</u>	<u>PENDING</u>
<u>08/019,386</u>	<u>February 18, 1993</u>	<u>ABANDONED</u>
<u>08/152,066</u>	<u>November 12, 1993</u>	<u>PENDING</u>
<u>08/019,933</u>	<u>February 19, 1993</u>	<u>ABANDONED</u>

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respectively and individually, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to Allen E. Norris, SANDOZ AGRO, INC., Patent Department, 975 California Avenue, Palo Alto, California 94304-1104, the telephone number of whom is 415/354-3592.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**\*IMPORTANT:** Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.

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William B. O'Neal

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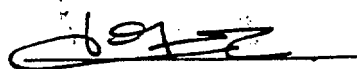
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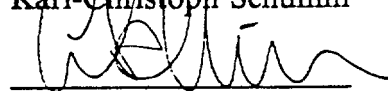
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**Fourth joint inventor:**

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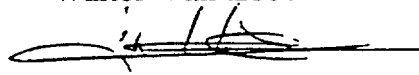
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**Fifth joint inventor:**

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